

Elm
REPORT OF FUNDING AND PERSONNEL
FOR THE CLEAN AIR ACT/AS AMENDED
AND THE SOLID WASTE DISPOSAL ACT
AS AMENDED /
ENVIRONMENTAL PROTECTION AGENCY /

RESTRICTED

089996
B-166506
2-12-73
LM089996
B-166506
2-12-73

RELEASED

56N03100

Letter report to the Chairman, Senate Committee on Public Works,
pursuant to his request.

The report contained information on the history and current status
of allocation of funds and personnel under the Clean Air Act (42 U.S.C.
1957), as amended, and the Solid Waste Disposal Act, as amended by the
Resource Recovery Act (42 U.S.C. 3251). The report also contained a
breakdown of the expenditures for fiscal years 1971 through 1973 for the
Office of the Administrator of the Environmental Protection Agency (EPA) *A6C00024*
and for other EPA offices and functions which did not directly implement
particular programs. We also analyzed the staffing and/or funding levels
for certain EPA programs.

We reported that:

1. Insufficient staff was assigned to enforcement activities and
to implementation of the Air Quality Act of 1967.
2. Insufficient staff was assigned to automobile certification
activities under the Clean Air Act.
3. Funds were not requested for section 103 of the Clean Air Act
relating to research, investigation, and training and section 212 of the
act relating to development of low-emission vehicles.
4. Delays were incurred in awarding grants for demonstrating
resource recovery systems and improved solid waste disposal facilities.

089996
973347

INDEX

REPORT OF FUNDING AND
PERSONNEL FOR THE CLEAN AIR ACT
AS AMENDED AND THE SOLID WASTE
DISPOSAL ACT AS AMENDED
ENVIRONMENTAL PROTECTION AGENCY

B-166506
2-12-73

BUDGETS

Information relating to budget and funding
for the Clean Air Act, as amended, and the
Solid Waste Disposal Act as amended by the
Resource Recovery Act of 1970

POLLUTION CONTROL

Air:

Funding and personnel to implement the
Clean Air Act as amended.

Insufficient staff assigned to enforcement
activities and to implementation of the Air
Quality Act of 1967

Insufficient staff assigned to automobile
certification activities under the Clean
Air Act

Funds not requested for section 103^{of} the
Clean Air Act relating to research, in-
vestigation, and training and section 212 of
the act relating to development of low-emission
vehicles.

Solid Waste:

Funding and personnel under Solid Waste Disposal
Act as amended

Delays in awarding solid waste demonstration grants



RESTRICTED — to be released outside the General Accounting Office only on the basis of specific approval by the Office of Management and Enterprise, a record of which is kept by the Director, Office of Management and Enterprise, OAS 2-12-73

COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

RELEASED

B-166506

FEB 14 1973

The Honorable Jennings Randolph
Chairman, Committee on Public Works
United States Senate *SEN 03100*

Dear Mr. Chairman:

In response to your request of November 13, 1972, we are reporting on the history and current status of allocation of funds and personnel under the Clean Air Act, as amended (42 U.S.C. 1857), and the Solid Waste Disposal Act, as amended by the Resource Recovery Act (42 U.S.C. 3251). We broke down the expenditures for fiscal years 1971 through 1973 for the Office of the Administrator of the Environmental Protection Agency (EPA) and for other EPA offices and functions which did not directly implement particular programs. (See enc. VI.) We also analyzed the staffing and/or funding levels for certain EPA programs.

AGC00024
EPA supplied us with information on overall personnel and funding. EPA officials could not give us information about funding and personnel allocated to each program authorized by title I and title II of the Clean Air Act, nor was this information readily available from EPA records. However, we did obtain information on staffing of the Mobile Source Pollution Control Program--the major program authorized by title II.

We reviewed EPA's records and the Department of Health, Education, and Welfare's (HEW's) records for those fiscal years when HEW had responsibility for administering the clean air and solid waste programs. We held discussions with agency officials, reviewed congressional hearings and reports pertaining to the Clean Air Act and the Solid Waste Disposal Act, as amended, and examined EPA guidelines and regulations.

FUNDS AND PERSONNEL TO IMPLEMENT
THE CLEAN AIR ACT, AS AMENDED

For fiscal years 1963 through 1973, the Clean Air Act, as amended, authorized the appropriation of about \$1.7 billion. During that period the Congress appropriated about \$800 million, of which about \$578 million had been obligated as of June 30, 1972. EPA estimates that an additional \$151 million will be obligated during fiscal year 1973. (See enc. I.) Total staff assigned to implement the act increased from 434 at the end of fiscal year 1963 to 1,348 estimated for fiscal year 1973. (See enc. IV.)

Staff assigned to enforcement activities
and to implementation of the
Air Quality Act of 1967

The Air Quality Act of 1967 (81 Stat. 485), which amended the Clean Air Act, provided for a program of abatement, prevention, and control of air pollution on a regional basis. The House Interstate and Foreign Commerce Committee report on the legislation stated that, during the time the regional program was being implemented, EPA was to use existing procedures to continue its enforcement activities.

EPA, however, deemphasized its enforcement program and assigned the job of implementing the regional program to the enforcement staff. The staff of the EPA Field Operations Branch, which had been responsible for enforcement, was reduced from 160 to 43 in 1968 and to three by the end of 1970.

An EPA official told us that the agency, in interpreting the intent of the Congress, had primarily emphasized the regional program because EPA lacked adequate staff to both implement the regional program and conduct an effective enforcement program.

Under the 1967 act the Federal Government was required to designate, within 18 months of enactment, air quality control regions throughout the Nation. The regional designations were to be based on jurisdictional boundaries, urban-industrial concentrations, atmospheric areas, and other factors. In establishing the regions, EPA issued public notices, held meetings with State and local officials, and evaluated engineering and urban factors, such as the extent, location, and type of pollution. Despite the complexity and importance of this process, only five men, according to an EPA official, had been assigned to the designation task.

As of June 1969, 18 months after the act was passed, the Government had designated only 13 of an eventual 247 regions and had not designated many major urban-industrial areas, including Detroit, Michigan, Kansas City, Missouri, Baltimore, Maryland, Indianapolis, Indiana, Minneapolis, Minnesota, and Birmingham, Alabama. (In April 1971, Birmingham received national publicity because of its high levels of air pollution.)

As of December 1970, when the Clean Air Amendments of 1970 (84 Stat. 1676) were passed amending the 1967 act, the regional program had not been implemented. An EPA official told us that the designations had not been made on schedule, because of insufficient staff and because EPA had little knowledge of the existence or extent of air pollution for many areas of the Nation.

Insufficient staff assigned to
automobile certification activities
under the Clean Air Act

In our report to the Chairman, Subcommittee on Air and Water Pollution, Senate Committee on Public Works (B-166506, June 12, 1972), we stated that the number of EPA personnel assigned to test and certify automobile prototypes had generally been insufficient for adequately insuring that automobile manufacturers complied with Federal certification regulations.

The Director of EPA's Mobile Source Pollution Control Program told us that, in his initial program plan for fiscal year 1972, he had requested 237 positions, including 46 positions for the Division of Certification and Surveillance. The Director stated, however, that EPA officials had reduced the authorization for the Mobile Source Pollution Control Program to 161 positions, of which 32 were allocated to the Division of Certification and Surveillance. As of June 1, 1972, EPA had assigned 146 persons to the Mobile Source Pollution Control Program, of which 19 were directly involved in the certification of vehicles.

As of December 12, 1972, the Mobile Source Pollution Control Program was authorized 196 positions, of which 160 had been filled. The Division of Certification and Surveillance was allotted 50 positions, of which 35 had been filled.

EPA officials told us in January 1973 that the Division of Certification and Surveillance continued to have difficulty in hiring and retaining qualified staff primarily because of low entrance salaries for graduate engineers and noncompetitive salaries for engineers with automotive emission experience.

Because of insufficient staff, personnel had not been assigned to monitor activities at the auto companies' test facilities as of January 1973. EPA therefore still does not have reasonable assurance that the companies are complying with the Federal certification regulations.

Funds not requested for sections 103
and 212 of the Clean Air Act

EPA had not asked for, and the Congress had not appropriated, funds authorized by sections 103 and 212 of the Clean Air Act, as amended. (See enc. II.) Section 103 authorized \$15 million for research, investigations, training, and other activities. An EPA official told us that the programs authorized by section 103 were being funded from the appropriation authorized by section 104 of the act and that there was no need to request funds specifically for section 103.

Section 212 authorized the appropriation of \$55 million for the development of low-emission vehicles, including the purchase of vehicles certified by the Low Emissions Certification Board. Government agencies are to use the vehicles. An EPA official told us that funds had not been requested for this section of the act because (1) the board had not certified any vehicles and (2) EPA had not resolved a legal question as to whether it could purchase vehicles, because the General Services Administration is responsible for purchasing vehicles used by Federal civilian agencies.

FUNDS AND PERSONNEL TO IMPLEMENT
THE SOLID WASTE DISPOSAL ACT, AS AMENDED

For fiscal years 1966 to 1973, the Solid Waste Disposal Act, as amended, authorized the appropriation of about \$489 million to carry out the purposes of the act. (See enc. III.) During that period, the Congress appropriated about \$156 million, about \$23 million more than requested in the President's budget. Of the \$23 million, about \$22.5 million was for the solid waste demonstration program authorized by section 208 of the act. Total personnel assigned to implement the act has risen from an estimated 76 at the end of fiscal year 1966 to an estimated 283 for fiscal year 1973. (See enc. V.)

Delays in awarding section 208
demonstration grants

The recycling of wastes and recovery of resources was emphasized in the Solid Waste Disposal Act of 1965 and was later reemphasized in the Resource Recovery Act of 1970. Section 208 of the 1970 act authorized grants for demonstrating resource recovery systems and improved solid waste disposal facilities.

The Resource Recovery Division of EPA's Office of Solid Waste Management Programs was not established, however, until December 1971, more than 1 year after enactment of the Resource Recovery Act, and at that time had a staff of six. The Director of the division told us that in September 1972 the division had a total staff of 41.

Correspondence between EPA and the Office of Management and Budget indicated, and EPA officials confirmed, that much of the delay in implementing the program was due to the length of time EPA needed to develop criteria for awarding grants for solid waste demonstration projects. By April 1972 EPA had developed these criteria and OMB had allotted \$11.5 million to EPA for demonstration projects. It was not until the fall of 1972, that demonstration grants were awarded to four of 65 applicants.

B-166506

An official of the Resource Recovery Division stated that the projects would not be operational until the fall of 1974 because it takes about 2 years to plan, develop, and put a demonstration project into operation. The authorization in the Resource Recovery Act of 1970 expires on June 30, 1973. Thus, if the Congress considers additional solid waste legislation before June 1973, it will not have the benefit of operating experience for the four section 208 demonstration projects. The Director, Resource Recovery Division, told us, however, that information on recycling and reuse of waste would be available from projects completed under other sections of the act.

- - - - -

EPA officials reviewed this report and their comments have been considered. We do not plan to distribute this report further unless you agree or publicly announce its contents.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "James B. Ruckelshaus", is written over the typed name.

Comptroller General
of the United States

Enclosures - 6

ENCLOSURE I

ENVIRONMENTAL PROTECTION AGENCY

TOTAL FUNDING FOR ACTIVITIES
UNDER THE CLEAN AIR ACT, AS AMENDED,
FOR FISCAL YEARS 1963 TO 1973

<u>Fiscal year</u>	<u>Statutory authorization</u>	<u>Budget request</u>	<u>Appropriation</u>	<u>Obligations</u>	<u>Expenditures</u>
			(000 omitted)		
1963	\$ 5,000	\$ ^a 10,069	\$ ^a 11,069	\$ 11,016	\$ 10,101
1964	10,000	^a 15,247	^a 12,954	12,911	12,748
1965	25,000	22,030	20,995	20,916	16,312
1966	30,470	25,028	26,662	26,578	20,859
1967	46,000	39,481	40,061	35,814	30,664
1968	109,000	64,185	64,185	61,667	38,604
1969	185,000	106,733	88,733	80,174	56,922
1970	179,300	95,800	108,800	101,534	78,478
1971	^b 220,000	113,203	114,953	101,666	88,055
1972	375,000	152,114	152,114	125,746	116,025
1973	<u>475,000</u>	<u>159,776</u>	<u>158,286</u>	^c <u>150,712</u>	^c <u>131,905</u>
Total	<u>\$1,659,770</u>	<u>\$803,666</u>	<u>\$798,812</u>	<u>\$728,734</u>	<u>\$600,673</u>

^a Air pollution control activities were also carried out under authorizations in section 314 of the Public Health Services Act.

^b The authorization for fiscal year 1971 included \$15,000,000 authorized by the Clean Air Amendments of 1970. The act did not, however, specify the fiscal years for which the appropriation should be made.

^c EPA estimates.

ENVIRONMENTAL PROTECTION AGENCY

FUNDING OF ACTIVITIES FOR WHICH APPROPRIATIONS ARE
SEPARATELY AND SPECIFICALLY AUTHORIZED IN
THE CLEAN AIR ACT, AS AMENDED

<u>Sections of the Clean Air Act</u>	<u>Fiscal year</u>	<u>Statutory authorization</u>	<u>Budget request</u>	<u>Appropriation (000 omitted)</u>	<u>Obligations</u>	<u>Expenditures</u>
		\$	\$	\$	\$	\$
Section 104 of the act authorizes funds for research relating to fuels and vehicles	1968	35,000	-	-	-	-
	1969	90,000	31,300	18,700	13,055	3,587
	1970	45,000	18,700	45,000	36,502	14,289
	1971	75,000	28,990	29,100	27,419	22,777
	1972	125,000	39,100	34,818	32,905	34,650
	1973	150,000	39,509	38,109	a, b 43,200	b 39,589
Total		<u>\$520,000</u>	<u>\$157,599</u>	<u>\$165,727</u>	<u>\$153,081</u>	<u>\$114,892</u>
Section 103 of the act authorizes funds for research investigations, training, and other activities	1971	^c 15,000	-	-	-	-
	1972	-	-	-	-	-
	1973	-	-	-	-	-
Total		<u>\$ 15,000</u>				
Section 212 of the act authorizes funds for development of low-emission vehicles	1971	\$ 5,000	-	-	-	-
	1972	25,000	-	-	-	-
	1973	25,000	-	-	-	-
Total		<u>\$ 55,000</u>				

^a Appropriations under section 104 are available until expended. Obligations were incurred in fiscal year 1973 from appropriations made in prior years.

^b Estimates provided by EPA.

^c Section 103 of the Clean Air Amendments of 1970, enacted December 31, 1970, authorizes the appropriation of \$15,000,000 but does not specify the fiscal years within which appropriations should be made.

ENVIRONMENTAL PROTECTION AGENCY

FUNDING FOR ACTIVITIES

UNDER THE SOLID WASTE DISPOSAL ACT
 AS AMENDED BY THE RESOURCE RECOVERY ACT OF 1970
 FISCAL YEARS 1966 TO 1973

Fiscal year	Statutory authorization	Budget request	Appropriation (000 omitted)	Obligations	Expenditures
1966	\$ 7,000	\$ 6,525	\$ 4,403	\$ 4,313	\$ 2,000
1967	14,000	12,369	12,363	12,192	9,353
1968	19,200	15,582	14,833	13,337	9,997
1969	20,000	16,217	16,217	15,116	13,520
1970	19,750	15,172	15,354	15,350	18,192
1971	41,500	17,986	20,591	17,982	15,976
1972	152,000	28,378	35,878	14,091	13,440
1973	216,000	21,433	36,553	31,359	20,314
Total	\$489,450	\$133,662	\$156,192	\$123,760	\$102,792
Funding for the demonstration program authorized by section 208 of the act	\$ -	\$ -	\$ -	\$ -	\$ -
1971	80,000	4,093	11,593	560	56
1972	140,000	-	15,000	20,826	1,813
1973	220,000	4,093	26,593	21,386	1,869
Total	\$220,000	\$ 4,093	\$ 26,593	\$ 21,386	\$ 1,869

^a Estimates provided by EPA.^b Appropriations authorized by section 208 are available until expended.

ENVIRONMENTAL PROTECTION AGENCY

THE CLEAN AIR ACT, AS AMENDED
POSITIONS BUDGETED AND FILLED
FISCAL YEARS 1963 TO 1973

	<u>Fiscal year</u>	<u>Positions budgeted at beginning of fiscal year</u>	<u>Positions filled at end of fiscal year</u>
Total positions for programs authorized by the Clean Air Act	1963	407	434
	1964	414	408
	1965	525	490
	1966	609	583
	1967	888	841
	1968	1,070	1,085
	1969	1,080	1,065
	1970	1,053	1,016
	1971	1,201	929
	1972	1,569	1,273
	1973	1,457	^a 1,348
Positions for the research program relating to fuels and vehicles authorized by section 104 of the act (note b)	1972	204	124
	1973	124	^a 126

^aEPA estimates.

^bAgency records did not show, nor were agency officials able to estimate, the number of positions assigned to implement section 104 during fiscal years 1968 to 1971.

ENVIRONMENTAL PROTECTION AGENCY

THE SOLID WASTE DISPOSAL ACT
AS AMENDED BY THE RESOURCE RECOVERY ACT
POSITIONS BUDGETED AND FILLED (note a)
FISCAL YEARS 1966 TO 1973

	<u>Fiscal</u> <u>year</u>	<u>Positions</u> <u>budgeted</u> <u>at beginning</u> <u>of fiscal year</u>	<u>Positions filled at</u> <u>end of fiscal year</u>
Total positions for programs	1966	70	76
authorized by the Solid Waste	1967	177	180
Disposal Act, as amended	1968	187	186
	1969	206	200
	1970	206	205
	1971	206	206
	1972	212	200
	1973	225	283
Positions assigned to the	1971	-	-
demonstration program authorized	1972	16	16
by section 208 of the act	1973	16	16

^aEstimates provided by agency officials.

ENVIRONMENTAL PROTECTION AGENCY
FUNDING AND PERSONNEL FOR OFFICES AND FUNCTIONS
NOT DIRECTLY ASSIGNED TO IMPLEMENT PARTICULAR PROGRAMS
FOR FISCAL YEARS 1971, 1972, AND 1973

Office/Function	Fiscal year 1971		Fiscal year 1972		Budgeted for fiscal year 1973 Dollars Positions (000 omitted)
	Budgeted Dollars	Positions filled at end of year	Budgeted Dollars	Positions filled at end of year	
	(000 omitted)		(000 omitted)		
Immediate Office of the Administrator	\$ 650	36	31	\$ 1,235	52
Office of Legislation	375	22	19	686	40
Office of International Affairs	250	11	14	430	23
Office of Civil Rights and Urban Affairs	125	20	11	469	29
Office of Public Affairs	1,600	94	90	2,206	87
Office of Federal Activities	-	-	-	312	22
Planning and Management	13,890	839	795	17,659	965
Regional Management	3,100	217	151	9,785	444
Agency and Regional Support	-	-	-	5,115	-
Totals	\$19,990	1,239	1,111	\$37,897	\$44,193

ENVIRONMENTAL PROTECTION AGENCY

FUNDING AND PERSONNEL FOR OFFICES AND FUNCTIONS
NOT DIRECTLY ASSIGNED TO IMPLEMENT PARTICULAR PROGRAMS
FOR FISCAL YEARS 1971, 1972, AND 1973

Office/Function	Fiscal year 1971		Fiscal year 1972		Fiscal year 1973	
	Budgeted Dollars	Positions	Positions filled at end of year	Budgeted Dollars	Positions	Positions filled at end of year
	(000 omitted)			(000 omitted)		(000 omitted)
Immediate Office of the Administrator	\$ 650	36	31	\$ 1,235	52	\$ 1,189 52
Office of Legislation	375	22	19	686	42	755 40
Office of International Affairs	250	11	14	430	22	492 23
Office of Civil Rights and Urban Affairs	125	20	11	469	26	630 29
Office of Public Affairs	1,600	94	90	2,206	90	1,912 87
Office of Federal Activities	-	-	-	312	22	564 22
Planning and Management	13,890	839	795	17,659	940	23,911 965
Regional Management	3,100	217	151	9,785	395	8,198 444
Agency and Regional Support	-	-	-	5,115	-	6,542 -
Totals	\$19,990	1,239	1,111	\$37,897	1,589	\$44,193 1,662